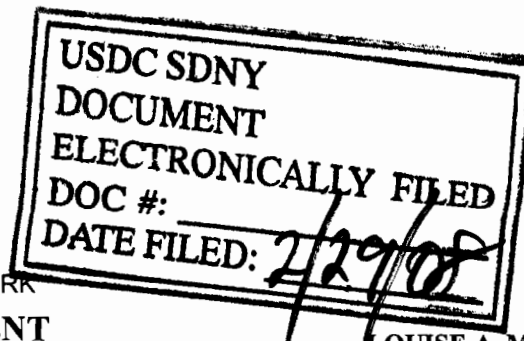




THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

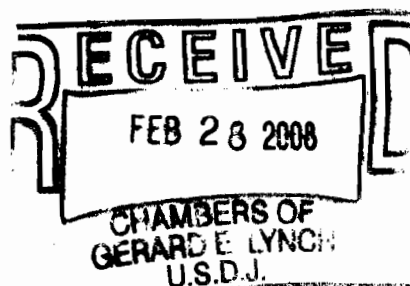


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February 26, 2008

The Hon. Gerard Lynch
United States District Court
Southern District of New York
500 Pearl Street (Rm 910)
New York, NY 10007



Re: Nation v. City, 08 CV 862 (GEL)

Dear Judge Lynch:

I am the Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, who is handling the above-referenced case.

I am requesting an enlargement of the City's time in which to answer or move with respect to the complaint herein. The case was commenced and a motion for a preliminary injunction brought on by order to show cause on January 24, 2008. The City responded to that motion on February 4, 2008. The Court rendered its decision on the motion on February 11, 2008. As suggested in that decision, the City plans to make a motion to dismiss the case on the basis of abstention. However, that motion might be deemed premature until such time as plaintiff has filed an Article 78 petition in state court. As per a telephone conversation on Tuesday, February 26, plaintiff's counsel expects to file that case during the week of March 3.

The City requests an enlargement to either answer or make a motion to dismiss this case until March 24, 2008. No prior requests for enlargement have been made. Plaintiff's counsel does not object to the City's request.]*

Thank you for your consideration.

Respectfully submitted,

***SO ORDERED**

GERARD E. LYNCH, U.S.D.J.
2/29/08

Louise A. Moed (LM 7442)
Assistant Corporation Counsel

cc: Stuart Klein and Gregory Chillino, attorneys for plaintiff, by fax: (212) 564-7845